



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Horiuchi et al. COPY OF PAPERS
Serial No.: 09/881,005 ORIGINALLY FILED
Filed: June 14, 2001
Title: MULTI-LAYERED SEMICONDUCTOR
DEVICE AND METHOD FOR
PRODUCING THE SAME
Examiner: Patricia M. Costanzo
Atty Doc. No. 149-01

45
Election
F JONES
5-17-07

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Response to Restriction/Election Requirement

Dear Sir:

This is in response to the office action dated March 26, 2002 having one-month statutory period for response set to expire on April 26, 2002. This response is being filed with a petition for a one-month extension of time thereby setting the response period to May 26, 2002.

Remarks

Applicant hereby elects, with traverse, the claims of Group I (claims 1 – 5 and 11 -16) for prosecution on the merits to fulfill the requirement of election pursuant to 37 U.S.C. § 1.143. This election should in no way prejudice Applicant's right to pursue the subject matter in Group II (claims 6 and 17), in a divisional application if the restriction requirement is not withdrawn.

Applicant respectfully but strenuously traverses the restriction requirement in the application. A search performed addressing the elected claims would inevitably